

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

WHITE & CASE LLP

1221 Avenue of the Americas
New York, New York 10020
Telephone: (212) 819-8200
J. Christopher Shore, Esq. (admitted *pro hac vice*)
(cshore@whitecase.com)
Harrison Denman, Esq. (admitted *pro hac vice*)
(harrison.denman@whitecase.com)
Andrew Zatz, Esq. (admitted *pro hac vice*)
(azatz@whitecase.com)
Samuel P. Hershey, Esq. (admitted *pro hac vice*)
(sam.hershey@whitecase.com)
Ashley Chase, Esq. (admitted *pro hac vice*)
(ashley.chase@whitecase.com)
Brett Bakemeyer, Esq. (admitted *pro hac vice*)
(brett.bakemeyer@whitecase.com)

WHITE & CASE LLP

555 S. Flower St., Suite 2700
Los Angeles, California 90071
Telephone: (213) 620-7700
Aaron Colodny, Esq. (admitted *pro hac vice*)
(aaron.colodny@whitecase.com)

-and-

PORZIO, BROMBERG & NEWMAN, P.C.
100 Southgate Parkway
P.O. Box 1997
Morristown, NJ 07962
Telephone: (973) 538-4006
Warren J. Martin Jr., Esq. (wjmartin@pbnlaw.com)
John S. Mairo, Esq. (jsmairo@pbnlaw.com)
Christopher P. Mazza, Esq. (cpmazza@pbnlaw.com)

Co-Counsel to the Official Committee of Unsecured Creditors

In re:

INVITAE CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11362 (MBK)

(Jointly Administered)

¹ The last four digits of Debtor Invitae Corporation's ("Invitae," and with its subsidiary debtors, the "Debtors") tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims

**THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' STATEMENT OF
ISSUES ON APPEAL AND DESIGNATION OF ITEMS TO BE INCLUDED IN THE
RECORD ON APPEAL**

Pursuant to Fed. R. Bankr. P. 8009(a), the Official Committee of Unsecured Creditors (“Appellant” or the “Committee”) appointed in these chapter 11 cases (the “**Chapter 11 Cases**”), by and through their undersigned counsel, hereby submits this statement of the issues to be presented in connection with their appeal of the *Findings of Fact, Conclusions of Law, and Order Confirming the Third Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [ECF 913] (the “**Order**”), and designation of items to be included in the record on appeal.

STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL

Appellant respectfully submits the following as the issues on appeal:²

1. Whether the Bankruptcy Court erred in granting the Debtors’ release of any claims the Debtors’ estate had against the holders of 2028 Senior Secured Notes Claims and the Debtors’ current directors, officers, advisors and any parties related thereto.

DESIGNATION OF THE RECORD ON APPEAL³

Appellant submits the following designation of items to be included in the record on appeal (including any exhibit, annex, or addendum thereto):

and noticing agent at www.kccllc.net/invitae. The Debtors’ service address in these chapter 11 cases is 1400 16th Street, San Francisco, California 94103.

² Capitalized terms used but not defined herein shall have the meaning ascribed to them in the *Third Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code* [ECF 909].

³ Portions of the record designated for appeal were filed or admitted under seal or with redactions (together, the “**Sealed Material**”) in accordance with the *Stipulated Confidentiality Agreement and Protective Order* [ECF 339] (the “**Protective Order**”). Sealed Material is identified in the tables below as having been filed under seal or with redactions and is noted with asterisks. Appellant will file a motion with the District Court pursuant to Federal Rule of Bankruptcy Procedure 8009(f) requesting that the District Court accept these portions of the record under seal.

<i>In re Invitae Corporation, et al., No. 24-11362-MBK (Bankr. D.N.J.)</i>			
ECF No. ⁴	Date	Description	Hearing Ex. No. ⁵
		Docket Report for <i>In re Invitae Corporation, et al.</i> , No. 24-11362-MBK (Bankr. D.N.J.)	
ECF 10	2/13/2024	Debtors' Motion for Entry of Interim and Final Orders Authorizing the Debtors to (A) Continue to Operate Their Cash Management System, (B) Honor Certain Prepetition Obligations Related Thereto, (C) Maintain Existing Business Forms, and (D) Perform Intercompany Transactions	UCCX-136
ECF 21	2/14/2024	Declaration of Ana Schrank, Chief Financial Officer of Invitae Corporation, in Support of Chapter 11 Filing, First Day Motions, and Access to Cash Collateral	UCCX-138
ECF 57	2/16/2024	Order (I) Approving Bidding Procedures and Bid Protections, (II) Scheduling Certain Dates and Deadlines with Respect Thereto, (III) Approving the Form and Manner of Notice Thereof, (IV) Establishing Notice and Procedures for the Assumption and Assignment of Contracts and Leases, (V) Authorizing the Assumption and Assignment of Assumed Contracts, and (VI) Authorizing the Sale of Assets	
ECF 131	3/1/2024	Notice of Appointment of Official Committee of Unsecured Creditors	UCCX-139, UCC-094
ECF 148	3/11/2024	Objection of the Official Committee of Unsecured Creditors to Final Approval of Debtors' Cash Collateral Motion	UCCX-140 UCC-095
ECF 188	3/18/2024	Final Order Pursuant to Sections 105, 361, 362, 363, 503, and 507 of the Bankruptcy Code and Rules 2002, 4001, and 9014 of the Federal Rules of Bankruptcy Procedure: (I) Authorizing Debtors to Use Cash Collateral; (II) Granting Adequate Protection to Prepetition Secured Parties; (III) Modifying Automatic Stay; and (IV) Granting Related Relief	UCCX-142 UCC-097

⁴ Documents cited herein were filed in the chapter 11 proceeding captioned *In re Invitae Corporation*, Case No. 24-11362 (MBK) (Bankr. N.J.).

⁵ Documents that were also admitted as exhibits at the evidentiary hearing on the standing motion, held July 9, 2024 (the “**Standing Motion Hearing**”) or at the evidentiary hearing on plan confirmation, held July 22, 2024 (the “**Confirmation Hearing**”) are cross-referenced in this column. Exhibits from the Standing Motion Hearing are indicated with the prefix “UCCX-” and exhibits from the Confirmation Hearing are indicated with the prefix “UCC-”.

ECF 189	3/18/2024	Order (I) Setting Bar Dates for Submitting Proofs of Claim, Including Requests for Payment Under Section 503(b)(9), (II) Establishing an Amended Schedules Bar Date and a Rejection Damages Bar Date, (III) Approving the Form, Manner, and Procedures for Filing Proofs of Claim, and (IV) Approving Notice Thereof	
ECF 202	3/18/2024	Schedules of Assets and Liabilities and Statement of Financial Affairs for Invitae Corporation (Case No. 24-11362)	UCCX-141, UCC-096
ECF 454	5/6/2024	The Debtors', the Official Committee of Unsecured Creditors', and the United States Trustee's Joint Stipulation of Undisputed Facts Related to the Debtors' Application to Retain Kirkland & Ellis LLP and Kirkland & Ellis International LLP as Attorneys for the Debtors and Debtors-in-Possession	UCCX-146, UCC-102
ECF 463	5/7/2024	Order (I) Approving the Sale of the Acquired Assets Free and Clear of All Liens, Claims, and Encumbrances and (II) Authorizing the Debtors to Enter into and Perform Their Obligations Under the LabCorp Asset Purchase Agreement	UCCX-147, UCC-103
ECF 470	5/9/2024	Debtors' Motion for Entry of an Order Approving (I) the Adequacy of the Disclosure Statement, (II) the Solicitation and Notice Procedures, (III) the Forms of Ballots and Notices in Connection Therewith, and (IV) Certain Dates With Respect Thereto	
ECF 471	5/9/2024	Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCCX-148, UCC-104
ECF 472	5/9/2024	Disclosure Statement Relating to the Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCCX-149, UCC-105
ECF 494	5/14/2024	Stipulation Concerning and Extending the Challenge Period Set Forth In Final Order Pursuant to Section 105, 361, 362, 503, and 507 of the Bankruptcy Code and Rules 2002, 4001, and 9014 of the Federal Rules of Bankruptcy Procedure: (I) Authorizing Debtors to use Cash Collateral; (II) Granting Adequate Protection to Prepetition Secured Parties; (III) Modifying the Automatic Stay; (IV) Scheduling a Final Hearing; and (V) Granting Related Relief	UCCX-150, UCC-106

ECF 528	5/22/2024	Notice of the Official Committee of Unsecured Creditors' Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382]	
ECF 536, 792	5/22/2024	The Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Unredacted version filed at ECF 792]	UCC-109
ECF 548	5/28/2024	Debtors' Motion for Entry of an Order Scheduling the Hearing on the Committee's Standing Motion with the Hearing on Plan Confirmation, Together with Interim Dates and Deadlines	
ECF 550	5/28/2024	Deerfield Partners L.P.'s Joinder to Debtors' Motion for Entry of an Order Scheduling the Hearing on the Committee's Standing Motion with the Hearing on Plan Confirmation, Together with Interim Dates and Deadlines	
ECF 554	5/28/2024	Joinder of U.S. Bank Trust Company, National Association, as Trustee and Collateral Agent, to (I) Debtors' Motion for Entry of an Order Scheduling the Hearing on the Committee's Standing Motion with the Hearing on Plan Confirmation, Together with Interim Dates and Deadlines and (II) Deerfield Partners L.P.'s Joinder to Debtors' Motion for Entry of an Order Scheduling the Hearing on the Committee's Standing Motion with the Hearing on Plan Confirmation, Together with Interim Dates and Deadlines	
ECF 563	5/30/2024	The Official Committee Of Unsecured Creditors' Objection to the Debtors' Motion for Entry of an Order Scheduling the Hearing on the Committee's Standing Motion with the Hearing on Plan Confirmation, Together with Interim Dates and Deadlines, Deerfield's Joinder, and U.S. Bank's Joinder Thereto	UCCX-158
ECF 598	6/6/2024	The Official Committee of Unsecured Creditors' Objection to the Debtors' Motion for Entry of an Order Approving (I) the Adequacy of the Disclosure Statement, (II) the Solicitation and Voting Procedures, (III) the Forms of Ballots and Notices in Connection Therewith, and (IV) Certain Dates with Respect Thereto	

ECF 605	6/9/2024	Debtors' Reply to the Committee's Objection to the Disclosure Statement Motion	
ECF 614	6/11/2024	Notice of Filing Disclosure Statement Relating to the Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCC-113
ECF 615	6/11/2024	Notice of Filing Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 616	6/11/2024	Notice of Filing of Revised Proposed Order Approving (I) the Adequacy of the Disclosure Statement, (II) the Solicitation and Notice Procedures, (III) the Forms of Ballots and Notices in Connection Therewith, and (IV) Certain Dates With Respect Thereto	
ECF 630	6/13/2024	Notice of Filing of Solicitation Version of the Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 631	6/13/2024	Solicitation Version of Disclosure Statement Relating to the Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCC-115
ECF 633	6/13/2024	Order Approving (I) the Adequacy of the Disclosure Statement, (II) the Solicitation and Voting Procedures, (III) the Forms of Ballots and Notices in Connection Therewith, and (IV) Certain Dates with Respect Thereto	
ECF 713*	7/2/2024	Debtors' Objection to the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [REDACTED] ⁶	
ECF 714*	7/2/2024	Declaration of Jeffrey Goldfine in Support of the Debtors' Objection to the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing and Authority to Commence and Prosecute Certain Claims and Causes of	

⁶ On July 16, 2024, the Court denied the Debtors' motion to file their objection to the Standing Motion under seal [ECF 809]. As of the date of this filing, the Debtors have not filed an unredacted version of their objection on the docket.

		Action on Behalf of Debtors' Estates and (II) Exclusive Settlement Authority [REDACTED] ⁷	
ECF 718	7/2/2024	Deerfield's (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount	
ECF 720	7/2/2024	Joinder and Supplemental Statement of U.S. Bank Trust Company, National Association, as Trustee and Collateral Agent, to Deerfield Partners L.P.'s (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount	
ECF 728	7/2/2024	Deerfield's (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount	
ECF 735*	7/7/2024	Declaration of Jill Frizzley [REDACTED] ⁸	
ECF 736*	7/7/2024	Declaration of Randy Scott [REDACTED] ⁹	
ECF 739	7/7/2024	Declaration of David Dunn in Support of the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority	UCCX-157, UCC-118
ECF 740	7/7/2024	Declaration of Terence Fox-Karnal in Support of Deerfield Partners L.P.'s (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount	
ECF 750	7/8/2024	The Official Committee of Unsecured Creditors' Reply Brief in Further Support of its Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382]	

⁷ On July 16, 2024, the Court denied the Debtors' motion to file their objection to the Standing Motion under seal [ECF 809]. As of the date of this filing, the Debtors have not filed an unredacted version of their Objection on the docket.

⁸ On July 16, 2024, the Court denied the Debtors' motion to file the Declaration of Jill Frizzley under seal [ECF 810]. As of the date of this filing, the Debtors have not filed an unredacted version of the Declaration on the docket.

⁹ On July 16, 2024, the Court denied the Debtors' motion to file the Declaration of Randy Scott under seal [ECF 810]. As of the date of this filing, the Debtors have not filed an unredacted version of the Declaration on the docket.

ECF 751	7/8/2024	Debtors' Joinder to Deerfield Partners, L.P.'s Response to the Committee's Claim Objection	
ECF 752, 786	7/8/2024	The Official Committee of Unsecured Creditors' Reply Brief in Support of its Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Unredacted version filed at ECF 786]	
ECF 761	7/8/2024	Notice of Filing Plan Supplement for the Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCC-119
ECF 785	7/9/2024	Transcript of Hearing on The Official Committee of Unsecured Creditors' Motions in Limine to Exclude Untimely Produced Documents from the July 9, 2024 Hearing [ECF 741]; and The Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, And Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estate And (II) Exclusive Settlement Authority [ECF 536] and Responses and Objections Thereto, and Notice of The Official Committee of Unsecured Creditors' Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382] [ECF 635] and Responses and Objections Thereto	
ECF 791	7/12/2024	Notice of Filing Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCC-123
ECF 793	7/12/2024	Transcript of Hearing on Preliminary Bench Ruling on The Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of The Debtors' Estate And (II) Exclusive Settlement Authority [ECF 536] and Hearing on The Official Committee of Unsecured Creditors' Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382] [ECF 528]	

ECF 796	7/15/2024	United States Trustee's Objection to the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 797	7/15/2024	Objection of Ravi Theja Kambhampati and Meghana Seethamraju to Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 798	7/15/2024	Objection of Integrated DNA Technologies, Inc. to the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 799	7/15/2024	Objection of Tecan Genomics, Inc. to the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 800	7/15/2024	Joint Response of Deerfield and U.S. Bank Trust Company, National Association, as Trustee and Collateral Agent, in Opposition to the Committee's Remaining Objections to Claims No. 360, 378, 379, 380, 381 and 382	
ECF 801	7/15/2024	The Official Committee of Unsecured Creditors' Objection to Confirmation of the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	UCC-125
ECF 802	7/15/2024	Baker Bros. Advisors LP's Joinder to the Official Committee of Unsecured Creditors' Objection to Confirmation of the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 806	7/15/2024	Wilmington Savings Fund Society, FSB's (I) Objection to Confirmation of the Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code; and (II) Joinder to Committee's Objection to the Plan	
ECF 816	7/15/2024	Transcript Regarding Hearing Held July 16, 2024	
ECF 833	7/18/2024	The Official Committee of Unsecured Creditors' Reply in Further Support of its Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382] (Non-Make-Whole Arguments)	UCC-129
ECF 835	7/18/2024	Debtors' Memorandum of Law in Support of the Debtors' Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	

ECF 836	7/18/2024	Deerfield's Statement in Support of Confirmation of the Plan and Joinder to the Debtors' Brief in Support of Confirmation	
ECF 837	7/18/2024	Declaration of James Lee with Respect to the Tabulation of Votes on the Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 838	7/18/2024	Declaration of Ana Schrank, Chief Financial Officer of Invitae Corporation, in Support of Confirmation of the Second Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 839	7/18/2024	Declaration of Andrew Spirito, Managing Director of FTI Consulting, in Support of Confirmation of the Second Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 841	7/18/2024	Declaration of Andrew Swift in Support of Confirmation of the Second Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 842	7/19/2024	Debtors' Joinder to the Joint Response of Deerfield and U.S. Bank Trust Company, National Association, as Trustee and Collateral Agent, in Opposition to the Committee's Remaining Objections to Claims No. 360, 378, 379, 380, 381, and 382	
ECF 847	7/19/2024	Declaration of David Dunn in Support of the Official Committee of Unsecured Creditors' Objection to Confirmation of the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code [Paragraphs 1-3 and 15-19]	UCC-132
ECF 852	7/19/2024	TFS Entities' Limited Joinder to the Objections of (1) the United States Trustee, and (2) the Official Committee of Unsecured Creditors to Confirmation of the Second Amended Joint Plan of Invitae Corporation and its Debtor Affiliates	
ECF 856	7/19/2024	Second Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code (Technical Modifications)	
ECF 857	7/19/2024	Notice of Filing of the Amended Plan Supplement	
ECF 869	7/23/2024	Transcript of Decision Before the Honorable Michael B. Kaplan, United States Bankruptcy Court Chief Judge	

ECF 877	7/22/2024	Transcript of Confirmation Hearing Before the Honorable Michael B. Kaplan, United States Bankruptcy Court Chief Judge	
ECF 909	8/1/2024	Third Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 910	8/1/2024	Notice of Filing Second Amended Plan Supplement for the Third Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 913	8/2/2024	Findings of Fact, Conclusions of Law, and Order Confirming the Third Amended Joint Plan of Invitae Corporation and Its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 914	8/2/2024	Order Denying the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority	
ECF 924	8/7/2024	Notice of Filing Third Amended Plan Supplement for the Third Amended Joint Plan of Invitae Corporation and its Debtor Affiliates Pursuant to Chapter 11 of the Bankruptcy Code	
ECF 941	8/12/2024	Order with Respect to the Official Committee of Unsecured Creditors' Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382]	
ECF 955	8/16/2024	Notice of Appeal filed by the Official Committee of Unsecured Creditors	
ECF 956	8/16/2024	Notice of Appeal filed by the Official Committee of Unsecured Creditors	

Trial Exhibits

Hearing Ex. No. ¹⁰	Date	Description
UCCX-001, UCC-001	9/10/2019	Indenture between Invitae Corporation and U.S. Bank, dated September 10, 2019

¹⁰ Documents cited herein were admitted as exhibits at the Standing Motion Hearing or the Confirmation Hearing. Exhibits from the Standing Motion Hearing are indicated with the prefix "UCCX-" and exhibits from the Confirmation Hearing are indicated with the prefix "UCC-".

UCCX-002, UCC-002	9/11/2019	Invitae Corporation, Form 8-K (September 10, 2019)
UCCX-003, UCC-003	11/11/2019	Invitae Press Release: Invitae to Acquire Clear Genetics
UCCX-004, UCC-004	3/10/2020	Invitae Press Release: Invitae to Acquire YouScript and Genelex to Make it Easier to Use Pharmacogenetic Information at the Point of Care
UCCX-005, UCC-005	3/10/2020	Invitae Press Release: Invitae Acquires Diploid, Maker of Artificial-Intelligence Engine to Enable Clinical Diagnosis Using Whole Genome Sequencing in Minutes
UCCX-006, UCC-006	10/5/2020	Invitae Corporation, Form 8-K (October 2, 2020)
UCCX-007, UCC-007	4/28/2021	Invitae Corporation, Schedule 14A (Definitive Proxy Statement)
UCCX-008, UCC-008	8/2/2021	Invitae Corporation, Form 10-Q (Q2 2021)
UCCX-009, UCC-009	10/25/2021	Email between S. Lowry and C. Gorjanc RE: Internal Audit Slides for AC and Board meetings, attaching Internal Audit Priorities though Q1 2022 and Enterprise Risk Management Update
UCCX-010, UCC-010	10/28/2021	Invitae Corporation, Video Conference Meeting of the Board of Directors
UCCX-011, UCC-011	2022	The Rise of Bankruptcy Directors
UCCX-012, UCC-012	3/1/2022	Invitae Corporation, Form 10-K (2021)
UCC-013	4/9/2022	Invitae Corporation, Form 8-K (April 9, 2022)
UCCX-013, UCC-014	4/26/2022	Email between T. Brida, R. Wen, and B. Carver RE: Invitae<>SBJA NDA, attaching confidentiality agreement from Invitae to Perella Weinberg Partners and J Wood Capital Advisors
UCCX-014, UCC-015	7/16/2022	Project Genesis Board of Directors Discussion Material
UCCX-015, UCC-016	7/18/2022	Invitae Press Release: Invitae Announces Strategic Business Realignment to Accelerate Its Path to Positive Cash Flow and Realize Full Potential of Industry-Leading Genetics Testing Platform
UCCX-016, UCC-017	7/28/2022	Invitae Board Meeting Discussion Material

UCCX-017, UCC-018	8/3/2022	Email between H. Luk and N. Laiwala RE: NDA, attaching Project Genesis Board of Directors Discussion Material (6/3/2022), Project Genesis Board of Directors Discussion Material (7/16/2022), and Board Meeting Discussion Material (8/28/22)
UCCX-018	8/12/2022	Email between R. Wen, R. Scott, K. Knight, and H. Luk RE: Fwd: Discussion Materials, attaching Discussion Materials
UCCX-019, UCC-019	8/19/2022	Email between R. Wen, E. Aguiar, C. Gorjanc, K. Knight, and R. Scott RE: Banker slides on debt, attaching Perella Weinberg Partners slide deck titled Discussion Materials (8/12/2022) and Moelis & Company slide deck titled Discussion Materials (8/15/2022)
UCC-020	8/22/2022	Invitae Corporation, Form 8-K (August 22, 2022)
UCCX-020	9/9/2022	Email between T. Brida and K. Knight RE: (Reminder) Action Required: Approve Requisition RQ7732, attaching expense reimbursement agreement between Deerfield and Invitae, Katten invoice, and Oracle requisition
UCCX-021	9/23/2022	Microsoft Teams Chat between M. Bergen and T. Fox-Karnal
UCCX-022	9/23/2022	Email between A. Zhang, R. Wen, H. Luk, R. Lusk, and Goldman Sachs, J. Wood Capital Advisors, and Perella Weinberg Partners RE: Invitae Financial Projections Discussion, attaching Discussion Materials for Project Icon
UCCX-023	10/8/2022	Email between B. Ostenda, R. Wen and G. Gelman RE: speak today?
UCCX-024, UCC-021	10/12/2022	Email between A. Herzog, K. Knight, R. Wen, H. Luk, and Invitae advisors RE: Project Icon - Discussion attaching Discussion Materials for Project Icon
UCCX-025, UCC-022	10/13/2022	Goldman/PWP/J. Wood Discussion Materials for Project Icon
UCCX-026, UCC-023	10/13/2022	Invitae Corporation, Video Conference Meeting of the Board of Directors
UCCX-027	10/19/2022	Email between R. Wen, H. Luk and Invitae advisors RE: Project Icon Follow Up, attaching Discussion Materials

		Eric Aguiar completing DocuSign and attaching various board materials: Invitae Corporation Video Conference Meeting of the Board of Directors (June 3, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (June 14, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (June 15, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (June 30 - July 1, 2022)
UCCX-028, UCC-024	10/20/2022	Eric Aguiar completing DocuSign and attaching various board materials: Invitae Corporation Video Conference Meeting of the Board of Directors (Jan. 27, 2022), Invitae Corporation Videoconference Meeting of the Nominating and Governance Committee of the Board of Directors (Jan. 27, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (Feb. 25, 2022), Invitae Corporation, Video Conference Meeting of the Board of Directors (Apr. 1, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (Apr. 28, 2022), Invitae Corporation Video Conference Meeting of the Nominating and Governance Committee of the Board of Directors (May 5, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (May 6, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (May 26, 2022), Invitae Corporation Video Conference Meeting of the Board of Directors (July 16, 2022)
UCCX-030	10/31/2022	Microsoft Teams Chat between J. Flynn and T. Fox-Karnal
UCCX-031	11/14/2022	Email from E. Press to himself RE: FW: Project Ivory: Business issues list, attaching Deerfield Response to Issues List, Indenture, Indenture Redline, Purchase and Exchange Agreement, Purchase and Exchange Agreement Redline
UCCX-032	11/23/2022	Email from R. Wen to T. Brida and H. Luk, forwarding email chain with K. Knight, and advisors from Goldman Sachs, J. Wood, and Perella Weinberg Partners RE: Fwd: BBI, attaching Summary of Proposed Terms for Exchange of Invitae Corporation Notes
UCCX-033	11/28/2022	Email between G. Gelman, H. Luk, K. Knight, R. Wen, T. Brida and Invitae advisors RE: BBI and Deerfield Update + Softbank
UCCX-034	11/28/2022	Email between R. Wen and H. Luk RE: prior analysis, attaching Analysis of Deerfield Proposal
UCCX-035, UCC-026	12/1/2022	Invitae Corporation Video Conference Meeting of the Finance Committee of the Board of Directors

UCCX-036	12/7/2022	Microsoft Teams Chat between S. Anderson and T. Fox-Karnal
UCCX-037	12/9/2022	Teams Chat between S. Anderson and T. Fox-Karnal
UCCX-038	12/12/2022	Email between W. Chen, T. Fox-Karnal, J. Flynn, B. Bizoza, S. Anderson, E. Press, A. Kometz, and M. Bergen RE: NVTA - Update and Response
UCCX-039	12/14/2022	Email between A. Hatalkar, H. Luk, K. Knight, T. Brida, and other Invitae advisors RE: RE: Project Icon Daily Call, attaching Proposal Analysis
UCCX-040	12/22/2022	Email between H. Luk, R. Wen, K. Knight, T. Brida and Invitae advisors RE: Re: Update Ahead of Daily Call
UCCX-041	12/26/2022	Email between G. Gelman, E. Oppong, K. Knight, J. Wood, D. Freeman, R. Wen, A. Liu, A. Lo, B. Ostenda, and H. Liu RE: Re: FW:
UCCX-042	1/5/2023	Email from T. Fox-Karnal to himself RE: NVTA - discussed version of potential chronology
UCCX-043	1/10/2023	Email between A. Kometz, W. Chem, and M. Bergen RE: NVTA, attaching Excel spreadsheet "NVTA AK 2023 Jan V5"
UCCX-044	1/12/2023	Email between A. Lo and K. Knight, R. Wen, H. Luk, T. Brida and Invitae advisors RE: NVTA - Exchange Financing Terms attaching Deerfield proposed exchange financing terms
UCCX-045	1/14/2023	Email between H. Luk and R. Wen RE: CF exercise
UCCX-046	1/17/2023	Microsoft Teams Chat between J. Flynn and T. Fox-Karnal
UCCX-047	1/19/2023	Email from E. Press to himself RE: NVTA Baskets/Open Issues
UCCX-048	1/19/2023	Email between A. Lo, K. Knight, R. Wen H. Luk, T. Brida and Invitae advisors RE: Re: Project Icon / Deerfield update, attaching proposed term sheet
UCCX-049, UCC-027	1/23/2023	Email between B. Carver, E. Press, T. Fox-Karnal, S. Anderson, R. Wen, T. Brida, and Invitae advisors RE: Re: NVTA - Exchange Financing Terms, attaching expense reimbursement agreement between Deerfield and Invitae

UCCX-050, UCC-028	1/24/2023	Email between R. Wen and A. Lo, forwarding email chain with E. Press, J. Wood, T. Fox-Karnal and G. Batista RE: Fwd: Project Ivory: Business Issues List, attaching Exhibit F to Indenture
UCCX-051, UCC-029	1/26/2023	Invitae, Overview on Clinical Trials Progress
UCCX-052, UCC-030	1/26/2023	Invitae Corporation, Meeting of the Board of Directors
UCCX-053, UCC-031	1/31/2023	Email between K. Knight and H. Luk, forwarding email chain with R. Wen and Invitae advisors RE: Fwd: InVitae Ratings Change, attaching Goldman Sachs Equity Research InVitae Corp Downgrade to Sell from Neutral: Long path to profitability despite restructuring plan
UCCX-054, UCC-032	2/2/2023	Email between G. Crouse, E. Aguiar, M. Hird, and C. Gorjanc RE: Invitae - Compensation Committee - Summary Post-2/2/23 Meeting
UCCX-055	2/14/2023	Microsoft Teams Chat between J. Flynn and T. Fox-Karnal
UCCX-056	2/16/2023	Teams Chat between J. Flynn and T. Fox-Karnal
UCCX-057	2/21/2023	Email from P. Takats to Deerfield Staff RE: Morning meeting notes 2/21/23 #FLYNN, NVTA, APLS, ISEE, MDT, BCRX, HRMY#
UCCX-058	2/21/2023	Email between P. Takats and Deerfield Staff RE: Morning meeting notes 2/21/23 #FLYNN, NVTA, APLS, ISEE, MDT, BCNS, HRMY#
UCCX-059, UCC-033	2/22/2023	Email between T. Fox-Karnal, R. Wen, and A. Lo RE: Brief check in / house keeping
UCCX-060	2/24/2023	Email between G. Gelman and K. Knight RE: Update
UCCX-061	2/24/2023	Email between R. Wen and K. Knight RE: Following up quickly
UCCX-062	2/25/2023	Email between K. Knight, R. Wen and T. Brida RE: BBI Proposal
UCCX-063, UCC-034	2/25/2023	Email between R. Wen and C. O'Connor RE: [DRAFT] Project Icon - Board Discussion Materials (02.25.23)
UCCX-064, UCC-035	2/25/2023	Email between T. Brida, R. Scott, E. Aguiar, C. Gorjanc, G. Crouse, K. Lockhart, W. Osborne, M. Hird, and R. Wen RE: Board materials, attaching Discussion Materials

UCCX-065, UCC-036	2/25/2023	Invitae Corporation Video Conference Meeting of the Board of Directors
UCCX-066, UCC-037	2/25/2023	Email between Gary Liou, M. Alisdairi, R. Wen, J. Wood, and A. Lo RE: RE: [DRAFT] Project Icon - Board Discussion Materials (02.25.23) attaching Discussion Materials
UCCX-067, UCC-038	2/25/2023	Email between G. Liou and R. Wen RE: [DRAFT] Project Icon - Board Discussion Materials (02.25.23) attaching Discussion Materials
UCCX-068, UCC-039	2/26/2023	Email between M. Bergen, T. Fox-Karnal, B. Bizoza, W. Chen, and A. Kometz RE: Financing PR and earnings deck
UCCX-069	2/26/2023	Email between T. Kirby, T. Fox-Karnal, E. Press, S. Anderson, and Katten attorneys RE: NVTA - Draft Indenture, attaching Invitae Draft Indenture, Article 1 Definitions, Purchase and Exchange Agreement, Purchase and Exchange Agreement Redline
UCCX-070, UCC-040	2/26/2023	Invitae Corporation, Unanimous Written Consent of the Board of Directors
UCCX-071, UCC-041	2/27/2023	Email between B. Carver, R. Wen, T. Brida, E. Bolsakov, N. Goodman, and Latham & Watkins and Katten attorneys RE: FW: NVTA - Security Agreement
UCCX-072, UCC-042	2/28/2023	Invitae Corporation, Form 10-K (2022)
UCCX-073, UCC-043	2/28/2023	Invitae Corporation, Video Conference Meeting of a Pricing Committee of the Board of Directors
UCCX-074	2/28/2023	Invitae Press Release: Invitae Announces Convertible Notes and Share Exchange and New Convertible Notes Issuance
UCCX-075	3/1/2023	Microsoft Teams Chat between M. Bergen and T. Fox-Karnal
UCCX-076, UCC-044	3/1/2023	MarketScreener Article: Invitae Shares Hit New All-Time Low on Downbeat 2023 Revenue Guidance, Debt Refinance
UCCX-077, UCC-045	3/3/2023	Email between R. Wen, H. Luk, and K. Knight RE: Fwd: Deerfield Perspective, attaching Deerfield perspective letter
UCCX-078, UCC-046	3/7/2023	Invitae Corporation, Form 8-K (March 7, 2023)
UCCX-079, UCC-047	4/3/2023	Invitae Corporation, Unanimous Written Consent of the Board of Directors

UCCX-080, UCC-048	4/4/2023	Email between C. Gorjanc, R. Werner and R. Wen RE: Comp Committee Deck, attaching Compensation Planning 2023-2024 (3/9/2023)
UCCX-081	4/17/2023	Email between R. Wen, Eldar Bolsakov, Hoki Luk, and Robert Werner re: FW: FW: Perella Weinberg Partners LP - CUS_INV-004062, attaching Perella Weinberg Partners compensation agreement
UCCX-082, UCC-049	4/19/2023	Invitae Corporation, Schedule 14A (Definitive Proxy Statement)
UCCX-083, UCC-050	4/27/2023	NVTA BOD Meeting Agenda and Board Meeting Materials
UCCX-084, UCC-051	4/27/2023	Invitae Corporation, Meeting of the Board of Directors
UCCX-085, UCC-052	4/27/2023	Invitae presentation re: "Securing our mission's future"
UCCX-086, UCC-053	5/9/2023	Invitae Corporation, Form 10-Q (Q1 2023)
UCCX-087, UCC-054	5/16/2023	Invitae Corporation, Form 4 (Statement of Changes in Beneficial Ownership of Securities) (K. Knight)
UCCX-088, UCC-055	5/16/2023	Invitae Corporation, Form 4 (Statement of Changes in Beneficial Ownership of Securities) (R. Wen)
UCCX-089	5/26/2023	Email between T. Fox-Karnal, M. Bergen, A. Kometz, J. Flynn, W. Chen, and B. Bizoza RE: Roxi of NVTA resigned today
UCCX-090	6/26/2023	Teams Chat between S. Anderson and T. Fox-Karnal
UCCX-091	6/27/2023	Email between M. Bergen, A. Kometz, A. Grossman, A. ElBardissi, J. Flynn, T. Fox-Karnal, S. Anderson, W. Chen, and R. Snetiker RE: #NVTA# Meeting with Randy Scott
UCCX-092	6/27/2023	Email between S. Anderson, T. Fox-Karnal, J. Flynn, E. Press, B. Bizoza, W. Chen, M. Bergen, and A. Kometz RE: Re: NVTA - Discussion on process - Updated
UCCX-093	6/29/2023	Email between R. Lusk, M. Alisdairi, C. O'Connor, and H. Luk RE: Recast/LRP Update
UCCX-094	7/10/2023	Microsoft Teams Chat between A. ElBardissi and T. Fox-Karnal
UCCX-095	7/11/2023	Email between W. Chen and T. Fox-Karnal RE: RE: NVTA - Outline of paths and cost
UCCX-096, UCC-056	7/26/2023	NVTA BOD Meeting Agenda and Board Meeting Materials

UCCX-097, UCC-057	8/8/2023	Invitae Corporation, Form 10-Q (Q2 2023)
UCCX-098, UCC-058	8/9/2023	Email between R. Lusk, T. Grigg, H. Luk, T. Welsh, and M. Ventimiglia RE: FTI - Transformation Perspectives
UCCX-099	8/20/2023	Email between K. Knight, G. Crouse, B. Carver, C. Nayak, C. Gorjanc, E. Aguiar, M. Hird, H. Luk, K. Lockhart, L. Chan, R. Scott, T. Brida, and W. Osborne RE: Invitae Board Consent - BOARD SIGNATURES REQUESTED
UCCX-100, UCC-059	8/22/2023	Exchange Agreement between Invitae Corporation, the Guarantors, and Deerfield, dated August 22, 2023, First Supplemental Indenture, Authentication Order and Officer's Certificate Pursuant to the Indenture, Cancellation Order related to Indenture, dated as of September 10, 2019, Invitae Corporation 4.50% Series A Convertible Senior Secured Notes due 2028
UCCX-101, UCC-060	8/22/2023	Invitae Corporation, Form 8-K (August 22, 2023)
UCCX-102, UCC-061	8/22/2023	Invitae Board of Directors Meeting Materials
UCCX-103	8/23/2023	Microsoft Teams Chat between N. Barriocanal and T. Fox-Karnal
UCCX-104	8/29/2023	Microsoft Teams Chat between N. Barriocanal and T. Fox-Karnal
UCCX-105	9/11/2023	Microsoft Teams Chat between A. ElBardissi, S. Anderson, and T. Fox-Karnal
UCCX-106	9/15/2023	Email between R. Wen and A. Kometz RE: Consulting Question
UCCX-107	9/19/2023	Email between T. Fox-Karnal and J. Cesatz, S. Anderson, and C. O'Connor RE: NVTA
UCCX-108	9/19/2023	Email between K. Knight, H. Luk, T. Brida, R. Dickey, B. Klein, and A. Swift, previous people on the email chain include J. Baker RE: Fwd: following up quickly
UCCX-109, UCC-062	9/22/2023	Invitae Corporation, Unanimous Written Consent of the Board of Directors
UCCX-110, UCC-063	10/3/2023	Meeting notes from meeting with Christine Gorjanc discussing other executives at Invitae and the major business lines
UCCX-111, UCC-064	10/4/2023	Invitae Corporation, Videoconference Meeting of the Special Committee of the Board of Directors

UCCX-112, UCC-065	10/9/2023	A. Schrank's notes on "Week of 10/9/23"
UCCX-113, UCC-066	10/18/2023	Invitae Corporation, Videoconference Meeting of the Special Committee of the Board of Directors
UCCX-114, UCC-067	10/18/2023	Project Ionic Special Committee Discussion Materials
UCCX-115, UCC-068	10/26/2023	Invitae Corporation, Meeting of the Board of Directors
UCCX-116, UCC-069	10/26/2023	Project Ionic Advisor Presentation to the Board of Invitae
UCCX-117, UCC-070	11/7/2023	Email between H. Luk, A. Kometz, M. Bergen, and W. Chen RE: Materials for this morning's call, attaching 3Q23 Earnings PR Draft and From genetics, Health Third Quarter 2023 Financial Results
UCCX-118, UCC-071	11/8/2023	Invitae Corporation, Form 10-Q (Q3 2023)
UCCX-119, UCC-072	11/16/2023	Email between A. Schrank, E. Aguiar, S. Khemka, R. Scott, W. Osborne, C. Gorjanc, J. Frizzley, K. Knight, T. Brida, and H. Luk RE: Project Ionic Deerfield Consent, attaching Project Ionic DRAFT Liquidity Forecast
UCCX-120, UCC-073	11/17/2023	Invitae Corporation, Videoconference Meeting of the Special Committee of the Board of Directors
UCCX-121, UCC-074	11/17/2023	Project Ionic Special Committee Discussion Materials
UCCX-122, UCC-075	12/1/2023	Email between Ken Knight, Ana Schrank, Tom Brida, Hoki Luk, Adar Puterman, Avi Kometz, Terence Fox-Karnal, Invitae advisors, and Invitae lawyers RE: Invitae - All Hands Consent Call, attaching Women's Health Sale Overview
UCCX-123, UCC-076	12/7/2023	Invitae Corporation, Unanimous Written Consent of the Board of Directors
UCCX-124, UCC-077	12/8/2023	Second Supplemental Indenture between Invitae Corporation and U.S. Bank, dated December 8, 2023
UCCX-125, UCC-078	12/13/2023	Invitae Press Release: Invitae Divests Ciitizen Health Data Platform and Implements Further Cost Cuts
UCCX-126, UCC-079	12/13/2023	Asset Purchase Agreement between Ciitizen Health Inc. and Invitae Corporation
UCCX-127, UCC-080	12/22/2023	Invitae Corporation, Unanimous Written Consent of the Board of Directors
UCCX-128, UCC-081	12/27/2023	Invitae Corporation, Videoconference Meeting of the Special Committee of the Board of Directors

UCCX-129, UCC-082	12/27/2023	Project Ionic Special Committee Discussion Materials
UCCX-130, UCC-083	1/3/2024	Presentation to Invitae's Board of Directors
UCCX-131, UCC-084	1/5/2024	Email between A. Schrank and A. Hinkelman RE: Retention, attaching 2024 Ionic Retention Planning (1/5/2024)
UCCX-132, UCC-085	1/7/2024	Invitae Corporation, Videoconference Meeting of the Board of Directors
UCCX-133, UCC-086	1/10/2024	Project Ionic Special Committee Discussion Materials
UCCX-134, UCC-087	1/11/2024	Invitae Corporation, Videoconference Meeting of the Board of Directors
UCC-088	1/18/2024	Presentation to the Board of Directors of Invitae Corporation Retention Planning
UCCX-135, UCC-089	1/24/2024	Email between E. Aguiar and M. Hird, forwarding email chain with J. Frizzley, R. Scott, K. Lockhart, C. Gorjanc, W. Osborne, G. Crouse, C. Nayak, K. Knight, T. Brida, A. Schrank, H. Luk, N. Greenblatt, J. Goldfine, and J. Danforth RE: Fw: Invitae - Deerfield Letter to Board, attaching Correspondence from Deerfield to Invitae's Board of Directors
UCC-090	1/24/2024	Withheld email, attaching Correspondence to Invitae's Board of Directors from Deerfield
UCCX-137, UCC-092	2/13/2024	Invitae Corporation, Unanimous Written Consent of the Board of Directors
UCCX-143, UCC-098	3/28/2024	Debtors' Responses and Objections to Rule 2004 Document Requests and Interrogatories
UCCX-144, UCC-099	4/3/2024	Official Form 410, Proof of Claim No. 360
UCC-100	4/25/2024	Email between C. Haugen and N. DiCarlo re: Invitae Corporation - UHC Case ID 23359, attaching Invitae Response to UHC Repayment Demand
UCCX-145, UCC-101	4/26/2024	Debtors' Responses and Objections to Official Committee of Unsecured Creditors' Second Set of Interrogatories
UCCX-151, UCC-107	5/21/2024	Recording of Jill Frizzley Interview
UCCX-152, UCC-108	5/22/2024	Project Ionic Board Discussion Materials

UCC-110	6/1/2024	Project Ionic Discussion Materials
UCC-111	6/4/2024	Email from N. Gavey to F. Petrie, D. Litz, J. Goldfine, N. Greenblatt, S. Winters, A. Del Rio, and J. Tougas RE: RE: Invitae - UnitedHealth, attaching 2024-03-25 Invitae Letter to United and 2024.04.25 Invitae Response to UHC Repayment Demand
UCC-112	6/6/2024	Email between J. Baltaytis and N. Smith RE: RE: Invitae - Diligence List, attaching Bid Comparison Model, Natera Retention Certificate Excel Support
UCC-114	6/12/2024	Letter from White & Case to Kirkland re: UHC Claim
UCCX-153, UCC-116	6/18/2024	Email from Committee counsel to Debtors' and Deerfield's counsel RE: RE: In re Invitae Corporation, et al., Case No. 24-11362 (MBK)
UCCX-154, UCC-117	6/18/2024	The Official Committee of Unsecured Creditors' Notice of Rule 30(b)(6) Deposition to the Debtors
UCCX-155, UCC-133	Undated	Invitae presentation re: Product exits
UCCX-156, UCC-134	Undated	A. Schrank's notes on "Hoki 1:1"
UCCX-159	6/4/2024	Email from N. Gavey to F. Petrie, D. Litz, J. Goldfine, N. Greenblatt, S. Winters, A. Del Rio, and J. Tougas RE: RE: Invitae - UnitedHealth, attaching 2024-03-25 Invitae Letter to United and 2024.04.25 Invitae Response to UHC Repayment Demand
UCCX-160, UCC-120	7/8/2024	Invitae Corporation (NVTAQ) Stock Price, News, Quote & History - Yahoo Finance
UCC-121	7/9/2024	Testimony of J. Frizzley
UCC-122	7/9/2024	Testimony of R. Scott
UCC-124	7/15/2024	Email between J. Goldfine, A. Colodny, A. Chase, C. Shore, and H. Denman re RE: In re Invitae Corporation, et al., Case No 24-11362 (MBK) confirmation witnesses
UCC-135	Undated	Execution Version - Transaction Support Agreement
UCC-136	Undated	FTI Consulting profile page of Andrew Spirito
UCC-137	Undated	Liquidation Analysis

RESERVATION OF RIGHTS

Appellant reserves the right to amend, modify, and/or supplement the foregoing statement of issues and designations, and/or to object or otherwise supplement or move to strike or modify, some or all of the appellee's counter-designation of additional items to be included in the record on appeal and/or cross-statement of issues presented on appeal. This filing is made expressly subject to, and without waiver of, any and all of Appellant's rights, remedies, challenges, and objections.

CERTIFICATION PURSUANT TO BANKRUPTCY RULE 8009(b)

Bankruptcy Rule 8009(b) requires an appellant to a bankruptcy court ruling to either: (i) order from the court reporter a transcript of such parts of the proceedings not already on file as the appellant considers necessary for the appeal and file a copy of the order with the bankruptcy clerk; or (ii) file with the bankruptcy clerk a certificate stating that the appellant is not ordering a transcript. Pursuant to Bankruptcy Rule 8009(b), Appellant hereby certifies to the Clerk of Court that it is not ordering a transcript not already included in the record on appeal.

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Dated: August 30, 2024

By: /s/ John S. Mairo

John S. Mairo, Esq.

Warren J. Martin Jr., Esq.

Christopher P. Mazza, Esq.

PORZIO, BROMBERG & NEWMAN, P.C.

100 Southgate Parkway

P.O. Box 1997

Morristown, NJ 07962

(973) 538-4006

(973) 538-5146 Facsimile

Email: wjmartin@pbnlaw.com

jsmairo@pbnlaw.com

cpmazza@pbnlaw.com

-and-

J. Christopher Shore, Esq. (admitted *pro hac vice*)

Harrison Denman, Esq. (admitted *pro hac vice*)

Andrew Zatz, Esq. (admitted *pro hac vice*)

Samuel P. Hershey, Esq. (admitted *pro hac vice*)

Ashley Chase, Esq. (admitted *pro hac vice*)

Brett Bakemeyer, Esq. (admitted *pro hac vice*)

WHITE & CASE LLP

1221 Avenue of the Americas

New York, New York 10020

Telephone: (212) 819-8200

Email: cshore@whitecase.com

harrison.denman@whitecase.com

azatz@whitecase.com

sam.hershey@whitecase.com

ashley.chase@whitecase.com

brett.bakemeyer@whitecase.com

Aaron Colodny, Esq. (admitted *pro hac vice*)

WHITE & CASE LLP

555 S. Flower St., Suite 2700

Los Angeles, California 90071

Telephone: (213) 620-7700

Email: aaron.colodny@whitecase.com

*Co-Counsel to the Official Committee of
Unsecured Creditors*